



# Water Quality NewsFlash

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**Numeric Limits for Stormwater – Sorting out the CTR, SIP, and Tahoe** – Last week's item on Toxics Criteria noted that the State's *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP) does not apply to storm water discharges. The SIP implements the numeric water quality objectives in EPA's *California Toxics Rule* (CTR). The SIP, for example, describes how objectives are converted into numeric effluent limits in permits issued for other dischargers such as industry and sewage treatment plants. The NewsFlash item was not intended to imply that WQ objectives in the CTR do not apply to stormwater – they do apply but somewhat indirectly. It is the general policy of EPA and the State to not convert WQ objectives, such as those in the CTR, into numeric effluent limits in stormwater permits. However, the CTR objectives do apply when MS4 (municipal) permits include, as most do, a requirement similar to the following:

*Discharges shall not cause or contribute to an exceedance of water quality standards [i.e., WQ objectives] contained in a Statewide Water Quality Control Plan, the California Toxics Rule (CTR), or in the applicable RWQCB Basin Plan.*

This requirement must be met by designing the SWMP to achieve compliance with WQ objectives and by an iterative process of BMP implementation based on monitoring. Although not exceeding standards is a primary goal of the permits, the regulatory agencies have not yet defined "not exceeding standards." If compliance is determined by comparing end-of-pipe pollutant concentrations with the objectives then stormwater runoff from roadways typically exceeds a number of applicable objectives including several of the toxics objectives in the CTR (e.g., dioxin and several metals).

In general, MS4s are not required to do extensive monitoring, particularly of the CTR constituents. An exception is Lahontan's MS4 permit for Lake Tahoe (Order No. 6-00-82). This permit requires monitoring for organic toxics listed in the CTR if these organics were previously detected in Basin waterways by USGS monitoring. The Tahoe permit does not allow for dilution in evaluating the monitoring results (i.e., the results are compared directly with the CTR objectives). The permit, however, does not appear to require that the permittees necessarily comply with the CTR numbers. The permit notes that "limitations for the CTR constituents may be revised if it is determined that alternative limitations are more appropriate." Also, the purpose of the monitoring is to evaluate source reduction efforts and BMPs in order to reduce the discharge of pollutants to the maximum extent practicable (MEP), which is a lesser requirement than compliance with standards.

The Tahoe municipal permit does have five numeric effluent limits for stormwater runoff to either surface waters or to infiltration systems, but these are derived from the Basin Plan, not the CTR. Caltrans discharges in the Tahoe area are covered by the Caltrans Statewide Permit.

WQ NewsFlash is a weekly update of storm water and related news for the Department. *Verify information before taking action on these bulletins.* Contact Betty Sanchez, [Betty\\_Sanchez@dot.ca.gov](mailto:Betty_Sanchez@dot.ca.gov) (916) 653-2115, or Fred Krieger, (510) 843-7889, [fkrieger@msn.com](mailto:fkrieger@msn.com) with questions or to be added or deleted from e-mail list. Posted online at <http://www.dot.ca.gov/hq/env/stormwater/index.htm> Click: *Storm Water Bulletins*